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Response Under  
37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
GROUP ART UNIT 1617

Docket No. 44657-AAA-PCT-US/JPW/GJG/JDF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Joseph R. Berger

Serial No.: 10/052,961 Group Art Unit: 1617

Filed : January 18, 2002 Examiner: S. Wang

Title : A METHOD FOR AMELIORATING MUSCLE WEAKNESS/WASTING  
IN A PATIENT INFECTED WITH HUMAN IMMUNODEFICIENCY  
VIRUS-TYPE 1

30 Rockefeller Plaza,  
20<sup>th</sup> Floor  
New York, New York 10112  
December 3, 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO SEPTEMBER 3, 2008 FINAL OFFICE  
ACTION UNDER 37 C.F.R. §1.116**

This Communication is in response to the September 3, 2008 Final Office Action issued in connection with the above-identified application. A response to the September 3, 2008 Final Office Action is due December 3, 2008. Accordingly, this Communication is being timely filed.